



Financial Policy – Conflict of Interest and Ethics Policy

Purpose

The purpose of this policy is to ensure that all elected officials, appointed officials, and employees of the City of Sidney conduct City business in a manner that maintains public trust, avoids conflicts of interest, and complies with applicable Montana law.

Policy Statement

City officials and employees shall perform their duties in the best interest of the public and shall not use their position for personal or financial gain.

All decisions must be made free from conflicts of interest or the appearance of impropriety.

Legal Compliance

This policy is intended to comply with applicable provisions of Montana Code Annotated, including but not limited to:

- Ethics and standards of conduct for public officers and employees
- Disclosure and recusal requirements
- Prohibitions on personal financial gain from public office

Where state law is more restrictive, state law shall govern.

Definitions

Conflict of Interest

A conflict of interest exists when an individual's personal, financial, or business interests could improperly influence, or appear to influence, their official duties or decision-making.

Financial Interest

Includes, but is not limited to:

- Ownership or investment in a business
- Employment or compensation arrangements
- Contracts or pending contracts with the City
- Interests held by immediate family members

Immediate Family

Includes spouse, domestic partner, parents, children, siblings, and in-laws.

Annual Disclosure

All elected officials, appointed officials, and designated employees shall complete a Conflict of Interest Disclosure Form annually.

Disclosure forms shall be submitted to the Clerk/Treasurer and maintained as public records as required by law.

Annual disclosures shall be reviewed and acknowledged at the first regular City Council meeting following the beginning of the fiscal year (after July 1st).

Ongoing Disclosure

The City of Sidney is an equal opportunity employer and provider.

Individuals must disclose any actual or potential conflict of interest as soon as it arises, even if it occurs after the annual disclosure has been submitted.

Recusal Requirements

When a conflict of interest exists or may reasonably appear to exist:

- The individual shall disclose the conflict
- The individual shall refrain from participating in discussion, decision-making, or voting on the matter
- The disclosure and recusal shall be documented in meeting minutes when applicable

Prohibited Conduct

City officials and employees shall not:

- Use their position to secure special privileges or exemptions
- Participate in decisions in which they have a financial interest
- Accept gifts, favors, or compensation that could influence official actions
- Enter into contracts with the City in violation of Montana law

Procurement and Contracting

All individuals involved in purchasing or contracting must comply with this policy in addition to the City's:

- Purchasing Policy
- Procurement Policy
- Contract Approval Authority Policy

Any potential conflict related to procurement must be disclosed prior to participation in the process.

Enforcement

Failure to comply with this policy may result in:

- Disciplinary action for employees
- Referral to appropriate authorities if required by law
- Removal or other action as permitted for appointed officials

Policy Review

This policy shall be reviewed periodically to ensure compliance with Montana law and best practices in public sector ethics.